

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In Re:

ANDREW WALKER,

Debtor. 8643.

ANDREW WALKER,

Plaintiff

v.

CITY OF FERGUSON

Serve: Mr. Dwayne T. James
110 Church Street
Ferguson Mo. 63135

Defendant.

Case No. 12-47022-099

Adversary No

COMPLAINT FOR CIVIL RIGHTS VIOLATIONS:

1. Plaintiff is now and was at all times herein mentioned a citizen of the United States and of the State of Missouri, residing at all times within the Eastern Division of the Eastern District of Missouri.
2. Defendant, City of Ferguson, is sued as a result of the unlawful deprivation of Plaintiff's civil rights.

Plaintiff, the above named Chapter 13 Debtor, alleges and requests as follows:

3. This is an adversary proceeding brought pursuant to Federal Rules of Bankruptcy Procedure 7001 (1) and U.S.C section 542 (a) to recover personal property held by Defendant.
4. That this Court has jurisdiction of this matter under the provisions of 28 U.S.C. Sections 1334, 151 and 157(a).
5. That under the particular facts and circumstances and applicable law Plaintiff is entitled to possession of the above described property of the estate for "use" as contemplated in 11 U.S.C. Section 363.
6. Further, the actions of Defendant is a willful, violation of 2012-3497 Sections 1, 8-18-12 and Section 21-3.

7. That all of the events herein complain of occurred within the Eastern Division of the Eastern District of the State of Missouri and at all times the individual know as "Mary" did resided within the Eastern Division of the Eastern District of Missouri.

8. That at all times herein mentioned, City of Ferguson's agent "Mary" was duly commissioned officer of the City of Ferguson.

9. That all times herein mentioned, City of Ferguson, consented, acted by and through its respective agents, servants, and employees, who at all times herein mentioned acted within the course and scope thereof.

10. Further, the actions of Defendant are a willful violation and should entitle Plaintiff to punitive damages so to deter others from so acting."

COUNT 1

(Deprivation of Civil Rights)

11. That on or about October 30, 2013, Plaintiff went into the City of Ferguson's offices to have its agent "Mary" to notarize some medical documents.

12. Plaintiff an African American was the first to enter the City of Ferguson's offices followed by a white customer. Mary discriminated against Plaintiff due to his race, evident by passing over and misinforming the Plaintiff about the notary violation she insisted that he was trying to violate.

13. Plaintiff was passed over by "Mary" as she went to assist the white customer first. After the Plaintiff waited an half an hour or so Mary relented and proceeded to assist the Plaintiff.

14. After Mary viewed the Plaintiff's medical documents she refused and denied to notarize the documents and stated to Plaintiff that " the documents had already been signed and she was not going to notarize the documents and that it was an violation of the notary rules. See Exhibit "8".

14(a). On or about November 8th 2013, Plaintiff had a talk with Mary's supervision Matt Unrein and the Chief of Police of Ferguson and at that meeting Defendant, City of Ferguson consented to the notary public's official misconduct by Matt telling the Plaintiff that " he was in fact trying to get his employee to commit a crime by having her to sign and notarize a document already signed by Plaintiff".

emotional distress.

16. This action is prosecuted pursuant to the provisions 42 U.S.C. Section 1983 to remedy deprivation of rights secured by the Fourteenth Amendment of the United States Constitution.

This Court has jurisdiction pursuant to the provisions of 28 U.S.C. Section 1342 (a)(3).

17. That all of the aforesaid acts and occurrences were performed under color of state law, were performed intentionally, maliciously, **and** without just cause or legal excuse therefor, all in the deprivation of rights, privileges, and immunities secured to Plaintiff by the Constitution and laws of the United States.

WHEREFORE, Plaintiff, Andrew Walker state that he has been damaged, for which damage he prays for judgment against Defendant in such sum as may be fair and reasonable, together with punitive damages, prejudgment interest, and his costs in this behalf expended.

By 

Andrew Walker/Pro Se
410 Carson Rd
St. Louis MO. 63135

12-3-2013

Certificate of Service

All parties have been mailed copies on November 7, 2013.